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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12  
13 v.  
14 MARCOS R. ROJOS-BLANCAS,  
15 Defendant.

Case No. 2:23-mj-00805-DJA  
**ORDER TO CONTINUE**  
**BENCH TRIAL DATE**  
(Fourth Request)

16  
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
18 United States Attorney, and Randolph J. St. Clair, Assistant United States Attorney, counsel for  
19 the United States of America, and Rene L. Valladares, Federal Public Defender, and Rick Mula,  
20 Assistant Federal Public Defender, counsel for Marcos R. Rojos-Blancas, that the bench trial  
21 scheduled for June 5, 2024 at 9:00 a.m., be vacated and set to a date and time convenient to this  
22 Court, but no sooner than sixty (60) days.

23 The Stipulation is entered into for the following reasons:

- 24 1. The government provided a written plea agreement to the defense on April 19,  
25 2024.  
26 2. Defense counsel reviewed the plea agreement with Mr. Rojos-Blancas on May  
1, 2024.

1           3.       Mr. Rojos-Blancas wishes to enter into the plea agreement subject to a few small  
2 changes.

3           4.       Counsel for the defendant contacted the government on May 2, 2024, with a list  
4 of those requested changes.

5           5.       The government requires additional time to incorporate those changes.

6           6.       In addition, counsel for the defendant will be in a six-week trial from May 28,  
7 2024, through July 5, 2024 (*United States v. Dallmann*, Case No. 2:22-cr-00030-RFB-DJA (D.  
8 Nev.)). Counsel for the defendant will be unable to devote significant attention to this matter  
9 during that time period. Counsel for the defendant also will be unavailable on the date set for  
10 trial in this matter.

11          7.       The defendant is out of custody and does not object to the continuance.

12          8.       The parties agree to the continuance.

13          9.       The additional time requested herein is not sought for purposes of delay, but  
14 merely to allow counsel for defendant sufficient time within which to be able to effectively and  
15 complete investigation of the discovery materials provided.

16          10.      Additionally, denial of this request for continuance could result in a miscarriage  
17 of justice. The additional time requested by this Stipulation is excludable in computing the time  
18 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
19 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
20 Section 3161(h)(7)(B)(i), (iv).

21               This is the fourth stipulation to continue filed herein.

22               DATED this 21st day of May, 2024.

23       RENE L. VALLADARES  
24       Federal Public Defender

25       By /s/ Rick Mula

26       RICK MULA  
Assistant Federal Public Defender

JASON M. FRIERSON  
United States Attorney

By /s/ Randolph J. St. Clair

RANDOLPH J. ST. CLAIR  
Assistant United States Attorney

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

- 3

1           7.     The defendant is out of custody and does not object to the continuance.

2           8.     The parties agree to the continuance.

3           9.     The additional time requested herein is not sought for purposes of delay, but  
4 merely to allow counsel for defendant sufficient time within which to be able to effectively and  
5 complete investigation of the discovery materials provided.

6           10.    Additionally, denial of this request for continuance could result in a miscarriage  
7 of justice. The additional time requested by this Stipulation is excludable in computing the time  
8 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
9 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
10 Section 3161(h)(7)(B)(i), (iv).

11                                   **CONCLUSIONS OF LAW**

12           The ends of justice served by granting said continuance outweigh the best interest of the  
13 public and the defendant in a speedy trial, since the failure to grant said continuance would be  
14 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the  
15 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into  
16 account the exercise of due diligence.

17           The continuance sought herein is excludable under the Speedy Trial Act, Title 18,  
18 United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18,  
19 United States Code, § 3161(h)(7)(B)(i), (iv).

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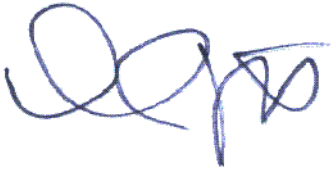
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**ORDER**

IT IS THEREFORE ORDERED that the bench trial currently scheduled for June 5, 2024, at the hour of 9:00 a.m., be vacated and continued to August 7, 2024, at 9:00 a.m., Courtroom 3A.

DATED this 23rd \_\_\_\_\_ day of May, 2024.



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DANIEL J. ALBREGTS  
United States Magistrate Judge